

SENATE BILL No. 215

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-17-5-4; IC 31-34-1-1.

Synopsis: Child in need of services; grandparent visitation. Requires a grandparent seeking visitation rights to file a petition in a circuit, superior, or probate court. (Current law requires a grandparent to file in a circuit or superior court.) Specifies that a child is a child in need of services if the child's physical or mental condition is seriously impaired or endangered as a result of the inability, refusal, or neglect of the child's parent, guardian, or custodian to provide mental health care for the child.

Effective: July 1, 2006.

Broden

January 9, 2006, read first time and referred to Committee on Judiciary.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 215

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-17-5-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. A grandparent
3 seeking visitation rights shall file a petition requesting reasonable
4 visitation rights:

5 (1) in a circuit, ~~or~~ superior, **or probate** court of the county in
6 which the child resides in a case described in section 1(a)(1),
7 1(a)(3), or 10 of this chapter; or

8 (2) in the court having jurisdiction over the dissolution of the
9 parents' marriage in a case described in section 1(a)(2) of this
10 chapter.

11 SECTION 2. IC 31-34-1-1, AS AMENDED BY P.L.2-2005,
12 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2006]: Sec. 1. A child is a child in need of services if before
14 the child becomes eighteen (18) years of age:

15 (1) the child's physical or mental condition is seriously impaired
16 or seriously endangered as a result of the inability, refusal, or
17 neglect of the child's parent, guardian, or custodian to supply the



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- 1 child with necessary food, clothing, shelter, medical care
2 **(including both physical and mental health care)**, education, or
3 supervision; and
4 (2) the child needs care, treatment, or rehabilitation that:
5 (A) the child is not receiving; and
6 (B) is unlikely to be provided or accepted without the coercive
7 intervention of the court.

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